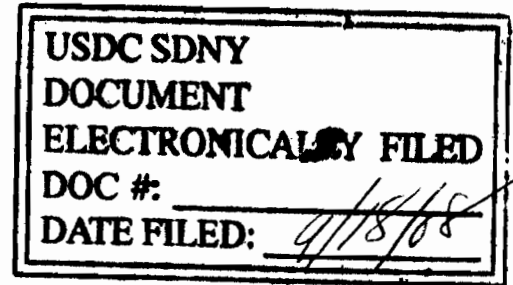


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
IN RE METHYL TERTIARY BUTYL ETHER  
PRODUCTS LIABILITY LITIGATION  
----- X

This document relates to:

*Buchanan County School Board v. Amerada Hess  
Corporation, et al.*, Case No. 04-CV-03418  
----- X



Master File No. 1:00-1898  
MDL 1358 (SAS), M21-88

**ORDER OF DISMISSAL WITH  
PREJUDICE**

The Plaintiff and those Settling Defendants that are parties in this action as set forth on the attached Exhibit A have advised the Court that they have resolved the matters between them pursuant to the Settlement Agreement<sup>1</sup>, and Plaintiff has now moved without opposition for the entry of this agreed upon dismissal of all claims of any kind pending against the Settling

Defendants with prejudice. The Court finds that the motion for dismissal of Settling Defendants with prejudice from this action should be granted and that:

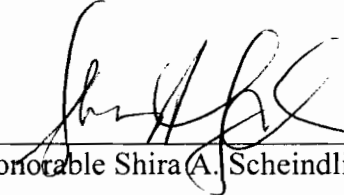
**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** as follows:

1. The Plaintiff and Settling Defendants have advised the Court that they have resolved the matters between them pursuant to a Settlement Agreement and a release.
2. Pursuant to the Settlement Agreement, the settling parties consent to the dismissal with prejudice of Settling Defendants only from this action.

<sup>1</sup> The Settlement Agreement dated as of March 12, 2008 ("Settlement Agreement") was filed with this Court on May 7, 2008 in connection with a motion for good faith determination under California and Illinois law in certain other cases. This motion was granted and a judgment entered. See Amended Opinion and Order at 2008 WL 2944653 (July 30, 2008). The term "Settling Defendants" used herein is as defined in the Settlement Agreement.

3. No other parties have objected to the dismissal of the above entitled action with prejudice as to the Settling Defendants only.
4. Therefore, this action, including all claims, counterclaims, and cross-claims of any kind, is hereby dismissed with prejudice only as to those Settling Defendants that have been named or have appeared in the above captioned action, including those identified on the attached Exhibit A, with each party to bear its own costs and attorneys' fees.

ENTERED this 17 day of September, 2008:

  
Honorable Shira A. Scheindlin

## **EXHIBIT A**

The Settling Defendants below are named defendants in the case of *Buchanan County School Board v. Amerada Hess Corporation, et al.*, Case No. 04-CV-03418 and are listed as they appear in the caption of Plaintiffs' complaint (even if erroneously identified or no longer in existence).

1. Amerada Hess Corporation
2. Ashland, Inc.
3. Atlantic Richfield Company, individually and doing business as ARCO Products Company (f/k/a ARCO Petroleum Co.), and also known as ARCO
4. BP America, Inc. (a/k/a BP)
5. BP Company North America, Inc.
6. BP Corporation North America, Inc., individually and formerly known as BP Amoco Corporation
7. BP Global Special Products (America), Inc.
8. BP Products North America, Inc., individually and as successor-by-merger to Amoco Oil Company and BP Exploration and Oil, Inc., successor-by-merger to BP North America, Inc.
9. BP Products North Americas, Inc. (a/k/a BP Marine Americas)
10. Chevron U.S.A., Inc., individually and formerly known as Gulf Oil Corporation (d/b/a Chevron Products Company, d/b/a Chevron Chemical Company)
11. CITGO Petroleum Corporation
12. CITGO Refining and Chemical Company, LP
13. Coastal Eagle Point Oil Company
14. Coastal Mobile Refining Company
15. Coastal Oil New England
16. Colorado Refining Company
17. ConocoPhillips Company, individually and as successor-in-interest to Conoco Inc. and Phillips Petroleum Company, and d/b/a Phillips 66 Company
18. El Paso CGP Company, individually and formerly known as The Coastal Corporation
19. El Paso Corporation, individually and formerly known as El Paso Energy Corporation
20. El Paso Merchant Energy-Petroleum Company, individually and formerly known as Coastal Refining and Marketing, Inc., and formerly known as Coastal States Trading, Inc.
21. Equilon Enterprises, LLC, individually and also known as Shell Oil Products, US
22. Flint Hills Resources, LP (formerly known as Koch Petroleum Group, LP)
23. Lyondell-CITGO Refining, LP
24. Marathon Ashland Petroleum, LLC
25. Marathon Oil Company, individually and formerly known as USX Corporation (f/k/a United States Steel Corporation)
26. Motiva Enterprises, LLC
27. PDV Midwest Refining, LLC
28. The Premcor Refining Group, Inc., individually and formerly known as Clark Refining
29. Shell Oil Company
30. Shell Oil Products Company
31. Shell Oil Products Company, LLC
32. Shell Petroleum, Inc.

33. Shell Trading (US) Company, individually and formerly known as Equiva Trading Company, and also known as STUSCO
34. Sunoco, Inc., individually and formerly known as Sun Oil Company, and formerly known as Sun Company, Inc.
35. Sunoco, Inc. (R&M), individually and formerly known as Sun Refining and Marketing Company and formerly known as Sun Company Inc. (R&M)
36. Texaco Inc.
37. TMR Company (formerly known as Texaco Refining and Marketing Inc., individually and as successor-by-merger to TRME Company (f/k/a Texaco Refining and Marketing (East))
38. Tosco Corporation, individually and also known as Tosco Refining Company, and also known as Tosco Marketing Company
39. Unocal Corporation, individually and formerly known as Union Oil Company of California
40. Union Oil Company of California (d/b/a Unocal)
41. Valero Energy Corporation
42. Valero Marketing and Supply Company
43. Valero Refining and Marketing Company
44. Valero Refining Company